

# Notice of Allowability

Application No.

09/776,610

Examiner

Jonathan G. Sterrett

Applicant(s)

HERBERT ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9-12-06.
2. ☒ The allowed claim(s) is/are 13,14,17-22,69-75 and 89.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 20061122.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
**TARIQ R. HAFIZ**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

Examiner's Amendment

1. An examiner's amendment to the record is attached to the Office Action. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. David Judson, Reg. 30,467 on 22 November 2006. See attached interview summary.

2. The claims below are the pending claims in the application.

89. (new) A workforce management method for measuring contact center agent performance, wherein contact center agents are organized into groups, and wherein the agents in each group report to a supervisor, comprising:

receiving data that measures performance of the contact center agents;

processing the performance data to:

(1) measure a given agent in the contact center according to data received on the given agent's performance handling calls according to a set of performance metrics that comprise: in calls, talk time, work time, total time, average handling time, average wait time, average talk time, out calls, out time and system time;

(2) selectably configure the display of the given agent's performance by a supervisor, wherein the supervisor selects one or any combination of the performance metrics that will be displayed to the given agent;

(3) configure the display of individual performance metrics each to display a comparison of an individual performance metric to an under threshold or an over threshold to indicate the individual performance metric in relation to the under threshold or over threshold;

(4) configure the display to show a comparison of the given agent to other agents in the group, the comparison being one of: no difference, a difference or a percent difference;

(5) further configure the display to show a number of past days of performance data for the comparison; and

(6) display the performance data for the given agent for the number of past days of performance data configured by one or more views that include: on a cumulative basis across all skills and call types, according to a given skill that the given agent possesses, and according to a given call type handled by the given agent.

1 – 12 (canceled)

13. (currently amended) The method of claim 68 89 wherein the step of displaying processing the performance data further comprises selecting at least one presentation characteristic of the a performance statistic metric, the at least one

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presentation characteristic having at least an over threshold indicator including at least one of colors, fonts, italicizing, reverse printing, bolding, underlining, background patterns, shading, cross-hatching, diagonal lines, horizontal lines, vertical lines, pop-up windows, and sounds.

14. (currently amended) The method of claim ~~68~~ 89, wherein the step of ~~displaying~~ processing the performance data further comprises selecting at least one presentation characteristic of ~~the~~ a performance ~~statistic~~ metric, the at least one presentation characteristic having at least an under threshold indicator including at least one of colors, fonts, italicizing, reverse printing, bolding, underlining, background patterns, shading, cross-hatching, diagonal lines, horizontal lines, vertical lines, pop-up windows, and sounds.

15-16 (cancelled)

17. (currently amended) The method of claim ~~68~~ 89, further comprising the step of collecting and updating the performance ~~statistic~~ data periodically.

18. (currently amended) The method of claim ~~68~~ 89, wherein the given agent is performing in at least one of a call center, a contact center, a sales force center, a field service center, and a factory.

19. (currently amended) The method of claim 68 89, further comprising the step of allowing the given agent to enter display preferences ~~of the given agent~~, the display preferences comprising at least one of ~~selecting the~~ a performance statistic metric, ~~selecting a time format, selecting a comparison method, and selecting a number of past days to show data.~~

20. (currently amended). The method of claim 68 19, ~~further comprising the step of allowing the given agent to enter preferences of the given agent, the display preferences comprising at least one of selecting the performance statistic, selecting a time format, selecting a comparison method, and selecting a number of past days to show data, wherein the comparison method comprises at least one of no difference, difference, and percent difference.~~

21. (currently amended). The method of claim 68 89, further comprising the step of allowing the given agent to select a form of communication of the a performance statistic data, the form comprising at least one of a textual display, a graphical display, a bar chart, a line chart, audio, and multimedia.

22. (currently amended) The method of claim 68 89, further comprising the step of allowing a supervisor to select a form of communication of the a performance statistic data, the form comprising at least one of a textual display, a graphical display, a bar chart, a line chart, audio, and multimedia.

23-68 (canceled)

69. (currently amended) The method as described in claim ~~68~~ 89, wherein one or more agent groups comprise one or more management units, and wherein the performance ~~statistics~~ data are displayable for the given agent and the one or more other agents in the agent's group and management unit.

70. (currently amended) The method as described in claim ~~69~~ 89, further including the step of displaying the given agent's performance ~~statistic~~ data relative to the performance ~~statistic~~ data for one or more other agents in the agent's group and management unit for each of two or more daily periods within the ~~given time period~~ number of past days of performance data configured.

71. (currently amended) The method as described in claim ~~69~~ 89, further including the step of displaying the given agent's performance ~~statistic~~ data relative to the performance ~~statistic~~ data for one or more other agents in the agent's group and management unit for an aggregate number of daily periods ~~within the given time period~~.

72. (currently amended) The method as described in claim ~~68~~ 89 wherein the views are represented in a hierarchy.

73. (currently amended) The method as described in claim 68 89 further including configuring an appearance of the given performance statistic data for the given agent.

74. (currently amended) The method as described in claim 68 89 further including configuring an appearance of the given performance statistic data for the one or more other agents in the agent's group.

75. (currently amended) The method as described in claim 73 74 wherein the appearance of the performance statistic data for the one or more other agents in the agent's group is configured as a function of a value of the performance statistic data with respect to the value of the performance statistic data of the given agent.

76-88 (cancelled)

***Allowable Subject Matter***

3. **Claims 13, 14, 17-22, 69-75 and 89** are allowed.

***Reasons for Allowance***

4. The following is a statement of reasons for the indication of allowable subject matter:

None of the prior art of record, taken individually or in any combination, teach, inter alia, a method of measuring contact center performance comprising the steps of: receiving data that measures performance of the contact center agents;

processing the performance data to:

(1) measure a given agent in the contact center according to data received on the given agent's performance handling calls according to a set of performance metrics that comprise: in calls, talk time, work time, total time, average handling time, average wait time, average talk time, out calls, out time and system time;

(2) selectably configure the display of the given agent's performance by a supervisor, wherein the supervisor selects one or any combination of the performance metrics that will be displayed to the given agent;

(3) configure the display of individual performance metrics each to display a comparison of an individual performance metric to an under threshold or an over threshold to indicate the individual performance metric in relation to the under threshold or over threshold;

(4) configure the display to show a comparison of the given agent to other agents in the group, the comparison being one of: no difference, a difference or a percent difference;

(5) further configure the display to show a number of past days of performance data for the comparison; and

(6) display the performance data for the given agent for the number of past days of performance data configured by one or more views that include: on a



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cumulative basis across all skills and call types, according to a given skill that the given agent possesses, and according to a given call type handled by the given agent;

as recited in independent **Claim 89**.

The novelty of the invention is in the combination of the limitations cited in independent **Claim 89** and not in any specific individual claim limitation.

The prior art reference most closely resembling the applicants claimed invention is Genesys. Genesys discloses some of the features of the claimed invention, as discussed below. For those features missing from Genesys, an unreasonable number of references would be required, so that a person of ordinary skill in the art at the time of the invention would not have been motivated to combine Genesys with the required references. Therefore a combination of these features was not reasonably found in the prior art.

The prior art reference most closely resembling the applicants claimed invention is Genesis.

While Genesys discloses:

tracking historical data of agents and groups who are handling calls;

tracking call handling time during the entire time a call is handled (i.e. cradle to grave);

displaying performance metric data comparing the agent's performance to that of a group using contact center performance metrics including average handling time, total time, total calls;

it lacks measuring a given agent in the contact center according to data received on the given agent's performance handling calls according to a set of performance metrics that comprise: in calls, talk time, work time, total time, average handling time, average wait time, average talk time, out calls, out time and system time;

selectably configuring the display of the given agent's performance by a supervisor, wherein the supervisor selects one or any combination of the performance metrics that will be displayed to the given agent;

configuring the display of individual performance metrics each to display a comparison of an individual performance metric to an under threshold or an over threshold to indicate the individual performance metric in relation to the under threshold or over threshold;

configuring the display to show a comparison of the given agent to other agents in the group, the comparison being one of: no difference, a difference or a percent difference;

further configuring the display to show a number of past days of performance data for the comparison; and

displaying the performance data for the given agent for the number of past days of performance data configured by one or more views that include: on a cumulative basis across all skills and call types, according to a given skill that the given agent

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possesses, and according to a given call type handled by the given agent , as recited in **Claim 89.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,926,794 by Fethe discloses a visual rating system and method.

EP 949794 A1 by Bogart discloses a method for call center management

JP 04223560 A by Singhal discloses a comprehensive quality management system for displaying metrics.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGS



11-22-2006



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